

HOV Pooled Fund Study Charter

1. Guiding Principles

The goal of the High Occupancy Vehicle (HOV) Pooled Fund Study (PFS) is to assemble regional, state, and local agencies and the Federal Highway Administration (FHWA) to (1) identify issues that are common among agencies; (2) suggest projects and initiatives; (3) select and initiate projects intended to address identified issues; (4) identify recommendations and potential solutions, and (5) disseminate results.

2. Scope

The HOV PFS is intended to serve as a forum for the participants to identify and address the key issues and challenges that are common among public agencies. The HOV PFS will focus on issues that arise associated with the program, policy, and other life cycle issues associated with HOV Facilities. The following are offered as broad topics or examples of issues that might be addressed within the intended scope of the HOV PFS:

- HOV System program and policy issues;
- Facility, corridor, and system planning issues and techniques;
- Operational policies, procedures, and plans;
- Program support services and Transportation Demand Management issues;
- Air quality impacts and modeling tools;
- Transit facilities and intermodal transport;
- Facility and system design;
- Performance monitoring, evaluation, and reporting;
- Contracting and procurement practices and issues;
- Implementation and construction work zone issues;
- Enforcement and traffic incident management; and
- Marketing and public information outreach.

3. Projects

Ultimately, the purpose of the HOV PFS is to initiate projects that address a variety of planning, design, implementation, management, operational, and other issues associated with HOV Facilities. Projects may focus on conducting research projects, operational tests, preparing technical guidance and recommended practices, developing training or pursuing technology transfer initiatives. One of the keys to the success of the HOV PFS will be the identification and selection of projects that meet the needs and are a priority to the members and the larger HOV community.

¹ Here *participants* refers to members as defined in section 4.1. It is noted in that section that the membership will determine how other interested parties will participate in the HOV Study.

To ensure achievement of this objective, consensus will be the foremost criterion for project selection. The definition, prioritization and selection of projects will be the product of developing a consensus among members. When all participants cannot agree on a particular project or issue, several projects may be needed, that taken as a whole, are of interest to participants (footnote 1). Figure 1 provides an overview of the life cycle of a typical HOV PFS project. The four stages of a project are: (1) identify and prioritize needs, (2) project development and selection, (3) project management, and (4) technology transfer. Each of the stages in the life cycle of a project is discussed separately.

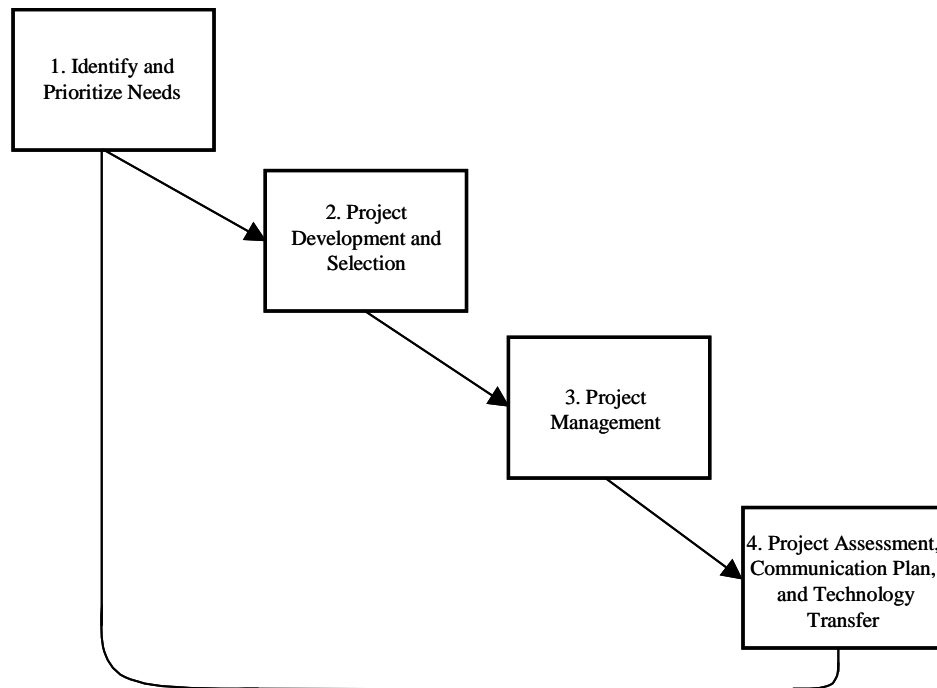


Figure 1. Overview of the life cycle of a HOV PFS project.

3.1 Identify and Prioritize Needs

Figure 2 provides a simplified overview of the process that will be used to identify and then prioritize the HOV needs of the HOV PFS Members. FHWA will canvass PFS Members, the committees of various professional organizations, and review other related initiatives to identify critical HOV needs. FHWA will synthesize the information compiled from this review and prepare a brief synopsis² that will be sent to each Member.

In addition to reviewing and commenting on the synopsis, the Members will be asked to prioritize the identified needs according to the perceptions of the organizations that they represent. The overall ratings of the participants will be summarized by FHWA for consideration by the participants in the next step, Project Development and Selection.

² The preparations of the initial meeting (i.e., the meeting before adoption of this charter) of the HOV PFS may differ from the process described here.

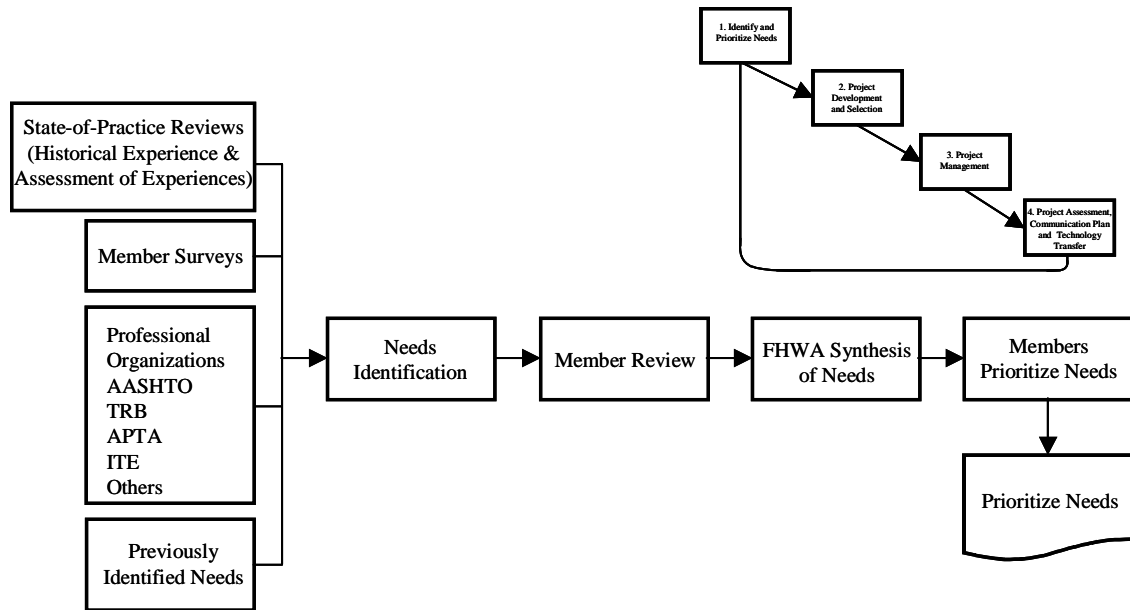


Figure 2. Process to identify and prioritize needs.

3.2 Project Development and Selection

Figure 3 illustrates the stage in which the HOV PFS members develop and select the project(s) to be initiated. This stage will take place during the annual meeting of the members. Comments on the proposed projects will be presented and discussed at the meeting. Following the discussion of issues, a prioritization and selection process will be undertaken, where the Members will rank order the projects. The highest-ranking projects will be marked for further development and exploration. The rankings will be subject to discussion and revision to encourage a consensus among Members. In particular, where diversity among members appears to result in extreme differences in rankings (e.g., the highest priority issue of one group of participants is the lowest priority issue among another group), consensus-building techniques will be used to ensure that the perceived needs of all groups are accommodated.

Those projects that appear to have the most support will be designated for further evaluation and development. Project teams may be formed, one for each of the designated projects. The project teams will prepare brief project summaries that include the following information:

- Statement of the problem.
- Proposed approach.
- A list of products or deliverables to result from the project.
- Identification of users or customers of the products.
- Description of the implementation or dissemination plan.
- Description of the project assessment plan.
- Rough order of magnitude cost estimate, person hours and other charges.
- Other relevant recommendations, (e.g.: contract mechanism; potential participants on project team; and other interests to provide feedback in developing project scope).
- Summary of in-kind and funding support from other (not PFS) sources.
- Approximate schedule for major milestones.

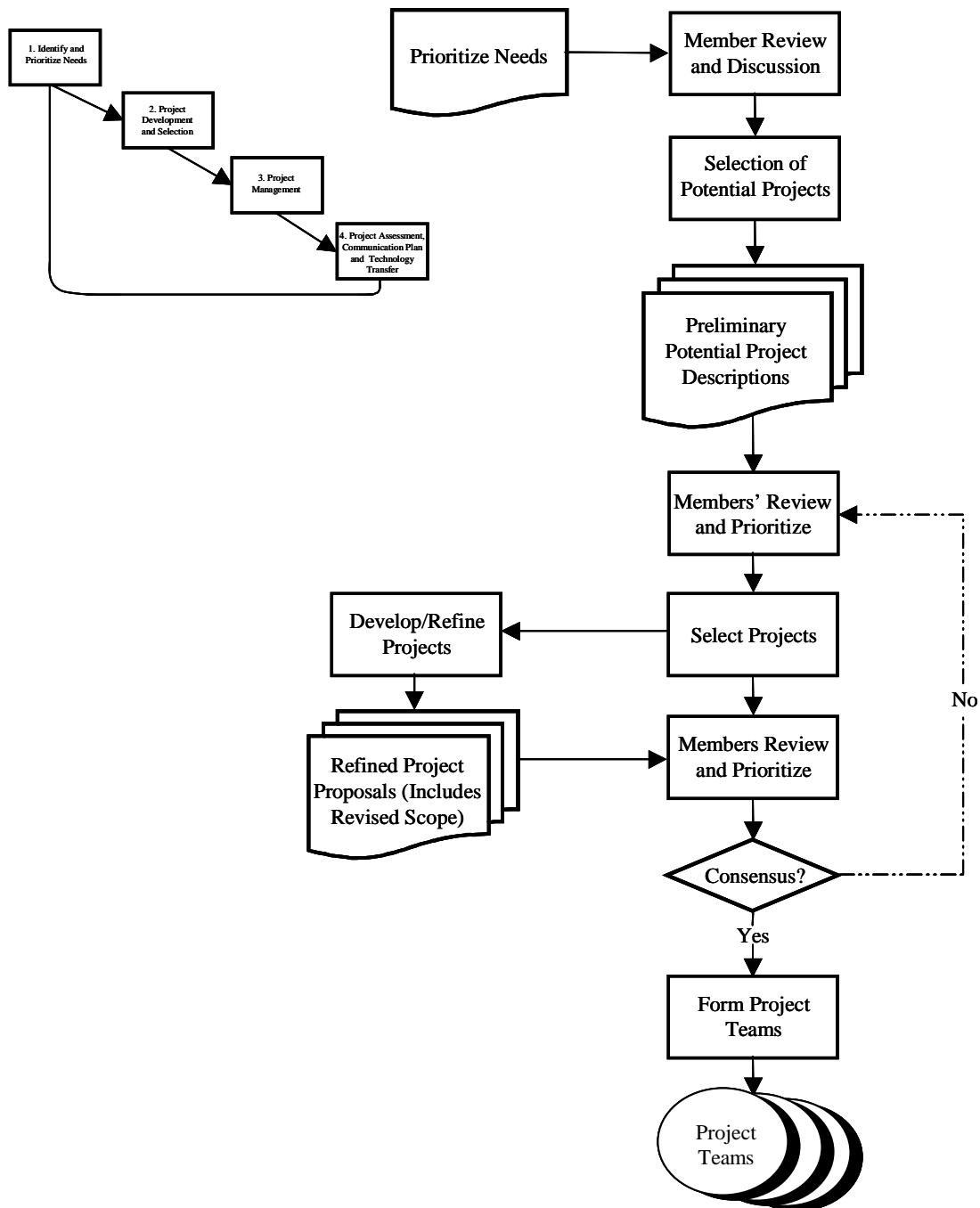


Figure 3. Project prioritization and selection.

Each of the project proposals will be documented on a two-page form by FHWA. The summaries are intended to clearly state the purpose and products of the proposed projects, and to enable the members to evaluate the feasibility of completing the projects within available resources. After reviewing the selected proposals, the members will rank-order the projects in the same manner as in the initial prioritization process. When more than one project is being considered for selection,

this step can be used to assess which projects will best distribute Member interest across the projects being considered based on the available funding.

Assuming that one or more projects can be performed within available resources, proposed projects will be put forward for the consensus support of the members. Resource constraints or project support considerations may result in a re-prioritization of projects by the Members. The final step in project selection process is to form project teams for the projects selected for execution. These teams will assist in the development of projects, provide technical direction, and high-level oversight. The members may choose to include the involvement of other practitioners or professional organizations with the project teams to assist in delivering the projects.

3.3 Project Management

Figure 4 provides an overview of the project management stage. Following the meeting at which the members select projects, the FHWA will prepare a detailed proposal for each project. The proposal(s) will include a budget, schedule with milestones, key topics and detailed issues to be addressed, and a detailed description of the work to be performed. These proposals will be of sufficient detail to support the issuance of a request for proposals or statement of work. The project proposals(s) will be distributed to the Members for their review and comments. If the project team has identified other interested parties who are not members, such as practitioners or committees of professional organizations, the project proposal will be submitted to those parties for their review, comment, or potential involvement.

The project team will review and comment on the proposal, and resolve the outstanding issues before initiating the project. If a project requires a contract, the proposal will be suitable to support the development of a request for proposals and/or a statement of work. Contract Solicitations, when necessary, will be issued by the FHWA. The project team may elect members to participate in proposal review and contractor selection.

The project team members will be apprised of project progress relative to the project plan. Should substantial revisions to a project scope or contract be required after a project has commenced, all members will be so advised and involved as appropriate based on the changes being considered. The project team will participate in review of contract deliverables and provide advice to the FHWA Project Manager (Contracting Officer's Technical Representative). Prior to the end of a project, the project team will review the training, outreach, and distribution plan and modify it if necessary.

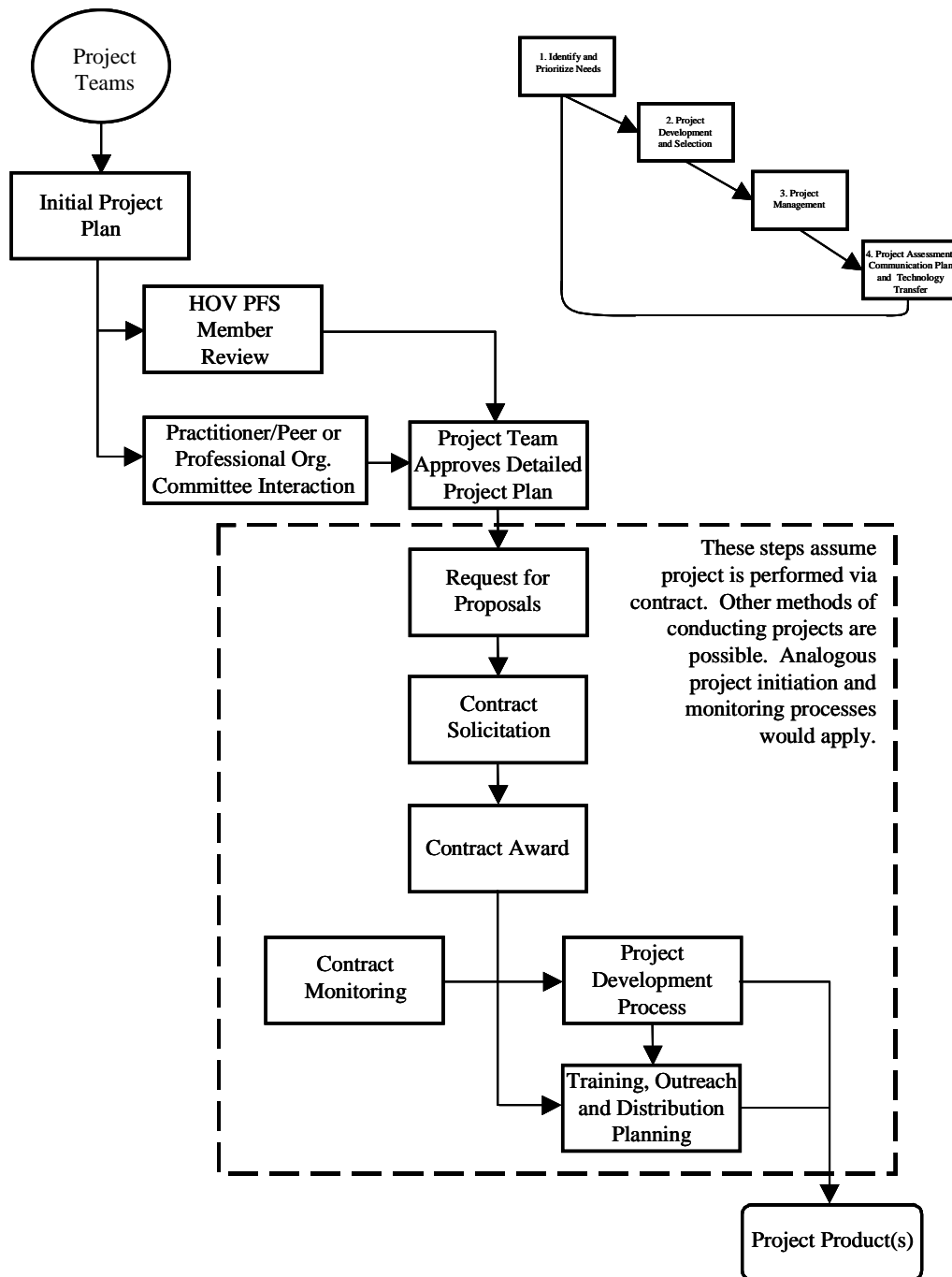


Figure 4. Project management.

3.4 Project Assessment, Communication Plan, and Technology Transfer

Figure 5 shows process for transfer of products and lessons learned to the greater HOV community. Transfer begins with a presentation of the final project product to the members. The members will decide on the disposition of products. Members may decide to follow the training, outreach, and distribution plan as proposed by the project team, or they may amend the plan. The Members may elect to initiate new projects based on the

results of earlier projects. The implementation of the technology transfer or distribution plan may involve the approval of subsequent projects to facilitate the desired technology transfer activities if the appropriate resources were not included in the project scope.

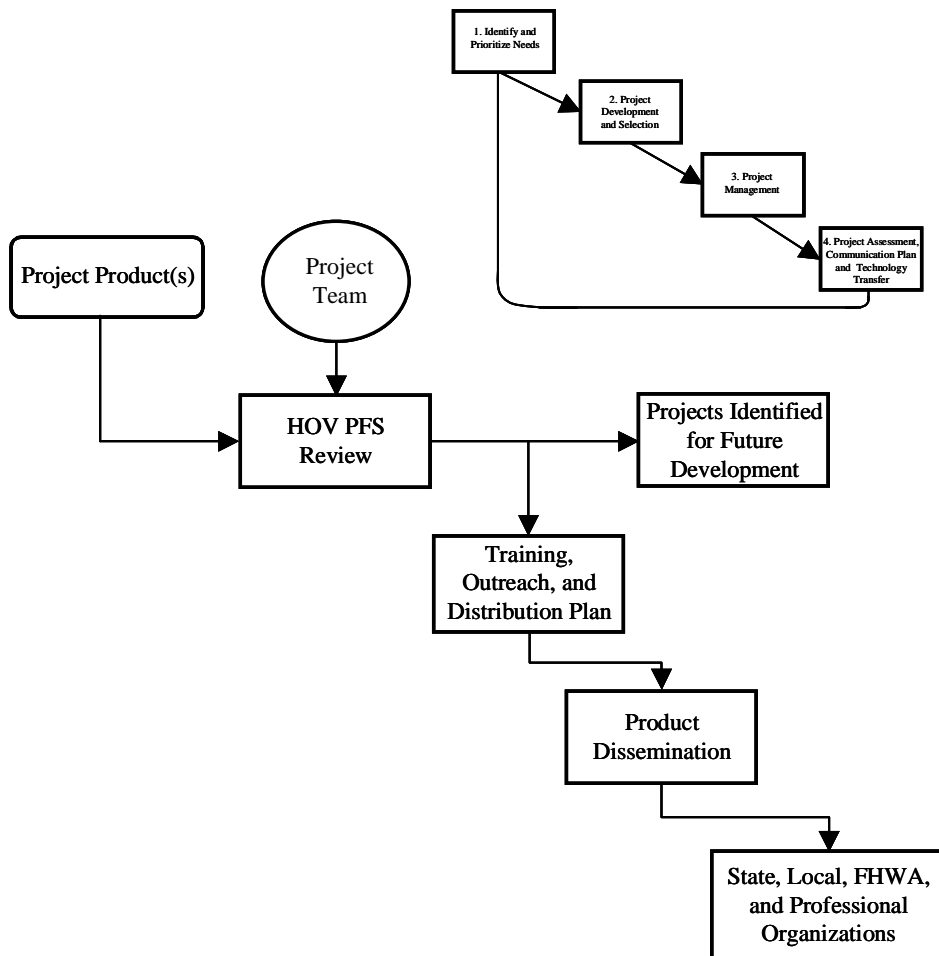


Figure 5. Technology transfer process.

4 Governance

This Charter provides rules that govern: HOV PFS membership; project selection; project management, coordination, and solicitation; policies and procedures; fiscal management; and overall management and administration. Because the charter may require updates as new issues are identified and resolved by the members, provision for revision of the Charter is provided in Section 4.7, Amendments.

4.1 Membership

Membership shall consist of technical representative chosen by the respective participating agency states³ and the FHWA⁴.

Given that the goal of the HOV PFS "...is to assemble regional, state and local agencies ..." the processes associated with identifying, developing and initiating projects should provide a mechanism to encourage the interaction with other HOV interests that reaches beyond the Members. In facilitating PFS activities, FHWA will work with members to explore opportunities to integrate the feedback and insight of these other HOV interests.

Participation of other interests will focus on integrating the technical expertise and experience or organizations that have an interest in HOV Facilities. These individuals might include practitioners that manage, plan, design, implement, operate, enforce, or provide services for HOV Facilities, regardless of whether their agencies are members of the PFS. Expertise may be sought from representatives of HOV related committees of professional organizations. Ongoing outreach and awareness of PFS activities is expected to occur with the various HOV related committees of the Transportation Research Board, American Public Transit Association (APTA), American Association of State Highway and Transportation Officials (AASHTO), and the Institute of Traffic Engineers (ITE). An example of one group that could be considered is the TRB HOV Systems Committee. The Members will define the specifics of participation by these interests.

4.2 Voting Privileges

Consensus decision-making will be the goal in all HOV PFS activities.

It is recognized that the members have different backgrounds, needs, and experiences associated with HOV facilities and programs. Because of these diverse backgrounds and interests, there will be differences project prioritization. A consensus building process, will recognize these differences and is expected to arrive at a group of projects that, taken together, will address the interests of all members based on the resources that are available. As the number of participants and resources that are committed to the HOV PFS grow, so too will the number and diversity of projects. Project selection and development will recognize the diversity of the membership.

In general, formal votes will be avoided. The Chair, or co-chairs will work with the Members to develop consensus decisions. Consensus decisions require agreement among the assembled members and require the presence of at least three-fourths of the members. Absent a quorum of three-fourths of the members, members not present will be consulted for their agreement. Should a vote be necessary, a two-thirds majority of the assembled participants will decide votes. A quorum of three-fourths of the members is required for either votes or consensus decisions. When a quorum is not assembled, the non-present members shall be polled and decisions delayed until at least three-fourths of the members have responded, and all members have had an opportunity to respond.

³ Includes the District of Columbia.

⁴ FHWA representation includes the USDOT ITS Joint Program Office (non-voting member), Operations Office of Travel Management (voting member), and the Office of Research, Development, and Technology (voting member). The Office of Research, Development, and Technology is providing the administrative and technical support to facilitate the activities of this pooled fund study.

4.3 Policies and Procedures

The members will adopt policies and procedures as they deem appropriate, and shall select a Chair and Co-chair. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the HOV PFS in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the HOV PFS may adopt. The Chair will conduct the annual meeting with assistance from the Co-Chair. In the absence of the Chair, the Co-Chair will conduct the annual meeting. The members will determine other responsibilities of the Chair and Co-Chair. The Chair and Co-Chair will serve two-year terms or for a length of time determined appropriate by the members.

4.4 Funding

Pooled funding will be derived from contributions received from participating entities.

4.5 Appointments

The members are responsible for creating and terminating various project teams or other organizational units as required to meet project requirements.

4.6 Budget and Work Plans

The members will approve project budgets and work plans.

4.7 Amendments

Amendments to the Charter shall be by four-fifths vote of the voting membership. Any member may propose amendments. A Quorum (three-fourths of members) must be present for a vote of the membership. In the event that a Quorum is not present, then the members shall be polled.

5. Program Administration

As part of its contribution to the HOV PFS, the FHWA Office of Travel Management will serve as Program Administrator and administer HOV PFS resources under the direction of the members.

5.1 General Support

Under direction of the Members, or a project team delegated by the Members, the Program Administrator will draft RFPs and coordinate the proposal review process. The participants, or their delegated project team, shall approve membership on committees that review RFPs or otherwise selecting consultants to perform HOV PFS projects.

5.2 Contract Administration

The Program Administrator will distribute RFPs, prepare contract documents, and perform other functions related to contract administration and management. Under direction of the participants or their delegated project committee, the Program Administrator will ensure that contracts, schedules, work plans, and project descriptions are followed. The Program Administrator will be responsible for day-to-day quality

control and evaluation, recommendations regarding preparation of contract documents, change order requests, and authorization of progress payments. The Program Administrator is responsible for providing contract progress reports to the participants or their delegated project committee. The Program Administrator will distribute project progress reports to the participants at least quarterly, and will respond to participant comments or inquiries regarding progress reports within 30 days of receipt.

5.3 Management Budget

The Program Administrator is responsible for administering a management budget that may include travel and per diem payments for active participants or their designated representatives. Per diem and travel shall be administered in a manner consistent with the prevailing per diem and travel policies of the participating entity to which the traveler belongs.

6. Program Members

For the purposes of charter ratification, membership shall consist of the FHWA and state/districts/agencies that have committed funding to the HOV PFS. Additional states or agencies may become participants by committing funds at a level deemed appropriate by the participants. Additional entities that contribute to the fund, such as transit authorities, may be approved for membership by the Members.